



MAYOR  
Geno Martini

CITY COUNCIL  
Julia Ratti, Ward I  
Ed Lawson, Ward II  
Ron Smith, Ward III  
Mike Carrigan, Ward IV  
Ron Schmitt, Ward V

CITY ATTORNEY  
Chet Adams

## REGULAR CITY COUNCIL MEETING MINUTES

2:00 P.M., Monday, April 28, 2014

City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada

**1. Call to Order** - (Time: 2:00 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:00 p.m.

**2. Roll Call** - (Time: 2:00 p.m.)

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Mike Carrigan, City Manager Stephen Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: Council Member Ron Schmitt

Staff Present: Neil Krutz, Armando Ornelas, Adam Mayberry, John Martini, Jeff Cronk, Andy Hummel, Michael Drinkwater, Andy Koski, Chris Syverson, Sherri Flynn, Stacie Hemmerling, Steve Davidek, Brian Miller, Dan Marran, Kim Laber, Todd Saxberg, Bill Luetsch, Tracy Domingues, Karen Melby, Trish Sebastian, Rich Brown

**Invocation Speaker** - (Time: 2:00 p.m.)

The invocation was provided by Pastor Barb West of Sparks Church of the Nazarene.

**Pledge of Allegiance** - (Time: 2:02 p.m.)

The Pledge of Allegiance was led by Council Member Ed Lawson.

**Comments from the Public** - (Time: 2:03 p.m.) – None

**CONSIDERATION, DISCUSSION, POSSIBLE MOTION AND POSSIBLE APPROVAL OF COUNCIL MEMBER SMITH'S REQUEST TO RECONSIDER A MOTION MADE ON ITEM 6.9 OF THE APRIL 14, 2014 CITY COUNCIL AGENDA TO APPROVE THE CITY MANAGER'S FINAL BUDGET RECOMMENDATIONS FOR FISCAL YEAR 2014-2015 AS PRESENTED BY STAFF. SEE ATTACHED DOCUMENT FOR FURTHER INFORMATION (FOR POSSIBLE ACTION)** - (Time: 2:03 p.m.)

City Manager Stephen Driscoll brought forth a request from Council Member Ron Smith to reconsider a motion made on item 6.9 of the April 14, 2014 City Council agenda to approve the City Manager's final budget recommendations for fiscal year 2014-2015. The reconsideration would address franchise agreement, additional personnel and other items as presented by staff.

Mr. Driscoll said that if approved, this item will be heard as item 6.6 on this agenda and that items related to the budget require a simple majority vote by the council.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to reconsider item 6.9 of the April 14, 2014 City Council agenda as pertains to the franchise agreement and personnel issues. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**CONSIDERATION, DISCUSSION, POSSIBLE MOTION AND POSSIBLE APPROVAL OF COUNCIL MEMBER SCHMITT'S REQUEST TO RECONSIDER A MOTION MADE ON ITEM 6.9 OF THE APRIL 14, 2014 CITY COUNCIL AGENDA TO APPROVE THE PROPOSED FIVE-YEAR CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEAR 2014-2015 THROUGH FISCAL YEAR 2018-2019. SEE ATTACHED DOCUMENT FOR FURTHER INFORMATION (FOR POSSIBLE ACTION) - (Time: 2:05 p.m.)**

City Manager Stephen Driscoll brought forth a request from Council Member Ron Schmitt to reconsider a motion made on item 6.9 of the April 14, 2014 City Council agenda to approve the City Manager's final budget recommendations for fiscal year 2014-2015. The reconsideration would address the proposed five-year capital improvements plan for fiscal year 2014-2015 through fiscal year 2018-2019. Mr. Driscoll said that if approved, this item will also be heard as item 6.6 on this agenda.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the reconsideration of item 6.9 of the April 14, 2014 agenda as pertains to the capital improvements plan for fiscal year 2014-2015 through fiscal year 2018-2019. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**Approval of the Agenda - (Time: 2:06 p.m.)**

**Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.**

Mayor Martini requested item 6.5 be heard after item 8.2.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the agenda as amended. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**3. Recommendation to Approve Minutes of April 14, 2014 - (Time: 2:07 p.m.)**

**3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for April 14, 2014.**

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the minutes of the Regular Meeting of April 14, 2014, as outlined by staff. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**4. Announcements, Presentations, Recognition Items and Items of Special Interest - (Time: 2:08 p.m.)**

**4.1 Proclamation: "Emergency Medical Services Week" - (Time: 2:08 p.m.)**

Mayor Geno Martini proclaimed May 18-24, 2014 as Emergency Medical Services Week in recognition of the quality medical care and vital public services provided to our community by the City of Sparks, REMSA and Care Flight. The proclamation was accepted by REMSA President and CEO Jim Gubbels.

**4.2 Proclamation: "Older American's Month" - (Time: 2:12 p.m.)**

Mayor Geno Martini proclaimed May 2014 as Older American's Month in recognition of older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to our community. The proclamation was accepted by Washoe County Senior Services Director Grady Tarbutton.

**4.3 Proclamation & Presentation: "The month of May 2014 as National Bike Month and Bicycle Safety Month; and May 10-16, 2014, as Bike to Work, School and Fun Week" - (Time: 2:18 p.m.)**

Mayor Geno Martini proclaimed May 2014 as "National Bike Month and Bicycle Safety Month" and the week of May 10-16 as "Bike to Work, School and Fun Week" in recognition of the many benefits of bicycling and the importance of bicycle safety. A presentation on upcoming bicycling activities was made by Washoe County Air Quality Specialist Julie Hunter and Washoe County School District Police Officer and Coordinator of Safe Routes to School MJ Cloud.

**5. Consent Items - (Time: 2:24 p.m.)**

Council Member Carrigan pulled item 5.3 for discussion. A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve consent items 5.1, 5.2 and 5.4 as submitted. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period March 27, 2014 through April 9, 2014 (FOR POSSIBLE ACTION)**

An agenda item from Finance Manager Jeff Cronk recommending the City Council approve the report of claims and bills as presented in the staff report.

**5.2 Consideration and possible approval of reimbursement to the City of Reno in the amount of \$64,245.76 for Sparks' share of a construction bid award I100075-2224 to Farr Construction Corp. by the City of Reno for Truckee Meadows Water Reclamation Facility (TMWRF) Clarifier Basin Concrete and Steel Rehabilitation Project.**

An agenda item from Deputy City Manager Neil C. Krutz and TMWRF Manager Michael Drinkwater recommending Council approve reimbursement to the City of Reno for Sparks' share of a construction bid award for TMWRF Clarifier Basin Concrete and Steel Rehabilitation Project. Appropriations are budgeted in the Sanitary Sewer Fund.

TMWRF has 14 primary and secondary clarifiers which are critical infrastructure for the wastewater treatment process. TMWRF staff is asking the City Council to approve reimbursement to the City of Reno in an amount up to \$64,245.76 for its share, not to exceed

\$204,800.00, including a \$25,000 force account, construction contract administered by the City of Reno with Farr Construction Corp. to provide rehabilitation and improvements of Clarifier Basin 2C at TMWRF.

**5.3 Consideration and possible contract in the amount of \$341,904.94 to Jive Communications for a hosted VoIP (Voice over Internet Protocol) Telephone Service Implementation.** (Time: 2:25 p.m.)

An agenda item from IT Operations Administrations Steve Davidek and IT Systems Administrator Sherry Flynn recommending Council approve replacing the city's aged telephone system with newer VoIP technology. VoIP uses computers and the internet to provide phone service through a third party provider (outsourcing) rather than managing the system in-house. This project is currently being proposed in the FY15 CIP. With this early start of the VoIP project, the FY14 budget authority for the \$20,948.02 will come from an underspend on Program 14-1500, the C Street Garage LED Retrofit Project. The balance of costs is \$8,915.47/month for 36 months.

Council Member Carrigan asked if the \$8,915 monthly charge was an additional amount or a fee in place of fees currently being paid. Financial Services Director Jeff Cronk said the city incurs the fee whether we purchase the new system or continue with the current carrier. Council Member Lawson asked if there was enough bandwidth to handle voice communication for all employees and during emergency situations. Ms. Flynn said voice and computer are on separate broadband systems.

A motion was made by Council Member Carrigan, seconded by Council Member Lawson, to approve consent item 5.3 as submitted. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**5.4 Consideration and possible award of a contract to provide Right of Way / Real Property Services with D. Vill Consulting in the amount of \$40,000.**

An agenda item from Utility Manager Andrew Hummel recommending Council award a contract to provide Real Property Services related to various projects. These projects include easement acquisition for the North Truckee Drain Realignment Project, various parks, property leases and permits, redevelopment projects, and other related work. Funding for this project will come from four programs associated with the various projects.

**6. General Business**

**6.1 Consideration and possible endorsement and authorization for the Mayor to sign a Letter of Request to Nevada Department of Transportation to relinquish certain Truckee River water rights.** - (Time: 2:28 p.m.)

An agenda item from Utility Manager Andrew Hummel recommending Council endorse and authorize the Mayor to sign a Letter of Request to Nevada Department of Transportation to relinquish certain Truckee River water rights. The Truckee River Operating Agreement (TROA) is an agreement signed pursuant to Public Law 101-618. TROA allows for a congressionally authorized interstate allocation of water between Nevada and California and changed the operations of the Truckee River system to accommodate multiple beneficial uses. The Cities of Reno and Sparks, together with Washoe County as signatories to TROA, are obligated to provide 6,700 acre-feet of Truckee River water rights. The Nevada Department of Transportation (NDOT) has appurtenant water rights to their Right of Ways within the Truckee Meadows. The

letter presented herein is a request to NDOT to relinquish these rights pursuant to NRS 408.527. There is no impact to the general fund at this time. However, costs may be incurred in the Utility Enterprise Fund in the future to cover potential research and filing fees.

Council Member Carrigan said if the water rights are relinquished, the city will have used the \$19M from the Federal government and the endorsement represents about \$20M in water rights.

A motion was made by Council Member Carrigan, seconded by Council Member Smith, to endorse and authorize the Mayor to sign a Letter of Request to Nevada Department of Transportation to relinquish certain Truckee River water rights. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**6.2 Consideration and possible acceptance of an interlocal agreement for the Regional Sex Offender Notification Unit - (Time: 2:31 p.m.)**

An agenda item presented by Police Chief Brian Miller recommending Council approve an interlocal agreement between the City of Sparks, City of Reno, and Washoe County regarding the oversight of the Regional Sex Offender Notification Unit. The agreement places the oversight of the Regional Sex Offender Notification Unit with the City of Sparks Police Department. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to approve the interlocal agreement placing the oversight of the Regional Sex Offender Notification Unit with the City of Sparks Police Department. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**6.3 Consideration and possible approval of a contract in the amount of \$500,665.00 to Farr Construction Corp for interior coating of Digester #5 at the Truckee Meadows Water Reclamation Facility (TMWRF). - (Time: 2:33 p.m.)**

An agenda item from TMWRF Maintenance Manager Kim Laber recommending Council approve a contract to Farr Construction Corp in the amount of \$500,665.00 to recoat the interior of Digester #5 located at the Truckee Meadows Water Reclamation Facility. Following quarterly reconciliation of TMWRF's operating expenses between the Cities of Sparks and Reno affecting the Sanitary Sewer Operations Fund (1630), Sparks expects a reimbursement from the City of Reno based on the current ownership of TMWRF.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to award the contract to Farr Construction Corp in the amount of \$500,665.00. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**6.4 Consideration, Discussion, and Possible approval of a bargaining agreement between the City of Sparks and the Association of Sparks Fire Department Classified Chief Officers - (Time: 3:18 p.m.)**

City Manager Stephen Driscoll requested this item be heard after item 9.1 in closed door session.

An agenda item from Employee and Customer Relations Manager Chris Syverson recommending Council approve a bargaining agreement between the City of Sparks and the Association of Sparks Fire Department Classified Chief Officers. The Bargaining Agreement between the City of Sparks and the Association of Sparks Fire Department Classified Chief Officers expired on June 30, 2013. The City and Association negotiation team met and set ground rules on January 6, 2014. During the course of subsequent meetings, the teams were able to come to agreement on the terms for a two-year agreement and a Tentative Agreement was signed on March 20, 2014. The impact to the general fund is \$2,160.

Council Member Lawson asked if there were any salary or benefit changes in the agreement. Employee and Customer Service Manager Chris Syverson said the pay rates are the same and the only financial component that changed is the use of cell phone allowance vs. a company cell phone.

A motion was made by Council Member Carrigan, seconded by Council Member Smith, to approve the bargaining agreement between the City of Sparks and the Association of Sparks Fire Department Classified Chief Officers for the period July 1, 2013 through June 30, 2015. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**6.5 Consideration and possible action on Resolution No. 3255, revising fees for development services provided by the City of Sparks and specifically considering fees for Administrative Review applications (Time: 2:54 p.m.)**

An agenda item from Senior Planner Karen Melby recommending Council approve a resolution revising fees for development services provided by the City of Sparks and specifically considering fees for Administrative Review applications. To facilitate development and growth in the City of Sparks, the city is considering adding an “administrative” process for review of certain uses. This resolution is a companion agenda item to establish fees. The proposed fee for Administrative Review is a deposit of \$1,250; staff time will be charged at \$120 per hour, not to exceed \$7,495. There is no impact to the general fund.

Ms. Melby said the fee requested for the administrative review process is the same as that charged for a site plan review. Council Member Ratti asked if the fee is comparable to Clark County’s fee that has generated an estimated \$1M in revenues. Ms. Melby said Clark County charges special use fees for every medical marijuana establishment. The proposal before the council is for marijuana cultivation, production and testing only. A different fee will be established for the special use permit for the dispensaries.

City Planner Armando Ornelas said the distinction is that in the case of Clark County, their fee is similar to a pre-application fee to file for medical marijuana license use. The City of Sparks is looking into a business or privilege license fee separate from land use entitlement approvals and the related fees. He said in the case of medical marijuana establishments, this fee would be for the administrative review which would cover cultivation facilities, the labs for independent testing and the facilities where medical marijuana is processed into baked goods or infused products. Mr. Ornelas said at completion of the planning commission process, dispensary applications will then be subject to the special use process and special use permit fees. In summary, when the state has provisionally approved the applicant, it would come to the city of Sparks for the business license / privilege license process.

Ms. Melby confirmed Council Member Ratti's statement that this is about planning and land use and is on the same fee schedule as all other planning and land uses.

Ms. Melby confirmed Council Member Carrigan's statement that this will apply for licenses for dispensaries, growth facilities, testing, etc.

In answer to a question by Council Member Lawson, Mr. Ornelas confirmed that although Sparks is limited to two (2) dispensaries, the city could potentially license more than two growing, processing and testing facilities.

A motion was made by Council Member Lawson, seconded by Council Member Carrigan, to adopt Resolution No. 3255, revising fees related to development services provided by the City of Sparks for Administrative Review. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**6.6 Reconsideration, discussion, and possible approval of fiscal year 2014-2015 budget recommendations and fiscal items including the City Manager's recommendations for the City of Sparks final budget; and the proposed five year Capital Improvement Plan (Time: 2:39 p.m.)**

An agenda item from City Manager Stephen Driscoll and Financial Services Director Jeff Cronk recommending Council reconsider Items #1 and #3 from the April 14<sup>th</sup>, 2014 Council Meeting.

On April 14, the City Manager and Financial Services Director presented the City Manager's final budget recommendations for fiscal year 2014-2015 (FY '15). At that meeting the City Council voted to approve the following:

1. The City Manager's final budget recommendations for fiscal year 2014-2015 as presented by staff; and
2. That a property tax rate increase of 4.37 cents, from \$3.6163 to the statutory limit of \$3.66 per \$100 of assessed value, is included in the final budget for fiscal year 2014-2015; and
3. The five-year Capital Improvements Plan for fiscal year 2014-2015 through fiscal year 2018-2019.

Subsequent to the April 14th Council meeting, Councilman Smith requested that item #1 listed above be brought back for reconsideration and Councilman Schmitt requested that item #3 listed above be brought back for reconsideration. Item #2 above was not requested to be brought back for reconsideration. Today, the City Council is being asked to direct staff in preparing the City's final budget document for submission to the State of Nevada, specifically as it relates to items #1 and #3 above.

To clarify item #1 above, the City Manager's final budget recommendations include a proposed increase in the City's garbage franchise fee from 5% to 8% as approved by Council at the February 25, 2014 budget workshop.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to approve the City Manager's final budget recommendations for fiscal year 2014-2015. Council Members Ratti, Lawson, Carrigan, YES. Council Member Smith, NO. Council Member Schmitt, ABSENT. Motion carried 3-1.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve the proposed five-year Capital Improvements Plan for fiscal year 2014-2015 through fiscal year 2018-2019. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

7. **Public Hearing and Action Items Unrelated to Planning and Zoning** – None

8. **Planning and Zoning Public Hearings and Action Items**

8.1 **Public Hearing, Second Reading, and possible discussion on Bill No. 2669 to rezone from A-40 and A-5 (Agriculture) to NUD (New Urban District) PCN14003 a site approximately 269.1 acres in size located east of Pyramid Way and north of Kiley Parkway, Sparks, NV - (Time: 2:41 p.m.)**

An agenda item from Senior Planner Karen Melby recommending Council approve a request to rezone from A-40 and A-5 (Agriculture) to NUD (New Urban District) for 269 acres. The property owner would like to rezone the balance of the Kiley Ranch North Planned Development (located east of Pyramid Way and north of Kiley Parkway) to NUD.

The subject property included in this request represents the remaining parcels held by Rising Tides, LLC. The total area to be rezoned is 269.13 acres. There are 237.8 acres of A-40 and 31.3 acres of A-5. These properties have retained agricultural zoning to retain the agricultural tax exemption. All the properties are currently vacant and this rezoning is the initial step in preparing these properties for future handbooks.

Mayor Martini opened this item for Public Hearing.

KM2 Development representative Lois Brown spoke in support of the rezoning and requested the council vote to approve.

A motion was made by Council Member Carrigan, seconded by Council Member Smith, to approve Bill No. 2669, Ordinance No. 2488, rezoning real property associated with PCN14003 based on the Findings Z1 through Z3 and the facts supporting these findings as set forth in this staff report. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

8.2 **Public Hearing, Second Reading and possible discussion on Bill No. 2670, CA-3-14: An ordinance amending Title 20 of the Sparks Municipal Code to establish an administrative review (Section 20.12), including the process, application requirements, findings and other matters properly related thereto. - (Time: 2:45 p.m.)**

An agenda item from Senior Planner Karen Melby recommending Council approve an ordinance to amend Title 20 of the Sparks Municipal Code to establish an administrative review process. The Zoning Code currently uses the Site Plan Review process, which is for new construction. The Site Plan Review is an administrative process, reviewed by the reviewing agencies. There is



no public noticing or public hearing. A letter of approval is issued with conditions of approval. An administrative review process is being proposed to establish a process to review proposed uses. As written, the review is conducted by the reviewing agencies with no public hearing or noticing. The Zoning Code will provide use standards with typical conditions for the operation and location of the proposed use.

Senior Planner Karen Melby reviewed the key points of the zoning code amendment and appeal process.

Council Member Lawson asked about the current process and if implementing this system would add another layer of government.

Ms. Melby said her office is in the process of redoing the zoning code to include this new process. She said that if approved, the new process will probably eliminate the site plan review process and that new construction would fall under the new administrative review process.

Mr. Lawson said he is having a difficult time supporting these actions because the city has only two medical marijuana permits to issue. Ms. Melby said the zoning considerations will need to include cultivation, production and testing facilities and that their office wants to review those types of uses without going through public hearing.

Mr. Ornelas said the alternative would be to subject all applicants to the special use permit process (proposed by the Planning Commission for at least the dispensaries) or applications will go straight to the building permit process. As an example, Mr. Ornelas said that in the past where a bar-type use wants to establish in the industrial area, it simply goes to building permit, without flexibility, and the city does not have the ability to condition the project for use in that particular location. He said the intent of the administrative review process is to build flexibility and to be able to look at uses in a case-by-case basis without having to go through the special use process which involves the discretion of the Planning Commission and City Council, and also requires a public hearing and noticing, which takes more time.

Mayor Martini opened the item for public hearing. None was heard and the meeting was returned to the Council.

Ms. Ratti asked what, besides medical marijuana, would this be applied to? Ms. Melby provided the example of outdoor storage. Currently, outdoor storage applicants will go through a site plan review. The change proposed would put that applicant through an administrative review to ensure adequate circulation, how materials are being stacked and issues of concern to the fire department and neighbors. The specific uses will be named in the zoning code.

Mayor Martini opened the item for public hearing. None was heard and the meeting was returned to the council.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve Bill No. 2670, Ordinance No. 2489, amending Chapter 20 of the Sparks Municipal Code to establish an administrative review process. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**8.3 Public Hearing, Second Reading and possible discussion on Bill 2671, CA-2-14 - An ordinance amending Title 20 of the Sparks Municipal Code to provide zoning authorization (Section 20.41.075) for the establishment of medical marijuana cultivation facilities, independent testing laboratories and facilities for the production of edible marijuana products or marijuana-infused products and other matters properly related thereto - (Time: 3:00 p.m.)**

An agenda item from Senior Planner Karen Melby recommending Council approve a Code Amendment to provide zoning authorization (Section 20.41.075) for the establishment of medical marijuana cultivation facilities, independent testing laboratories and facilities for the production of edible marijuana products or marijuana-infused products.

The first section of the code amendment would mirror the state's definitions regarding medical marijuana establishments. The next section establishes the parking requirements for these uses. The last section of the code amendment is the industrial use table, which permits the uses of cultivation, production and testing through the Administrative Review process. Ms. Melby said they are requesting one minor change to the code amendment: Under Item C regarding standards for medical marijuana establishments, to remove the word "standalone" and replace with "within a building" to make it consistent with the dispensary code amendment in 20.41.075.

Ms. Melby, confirming a question from Council Member Lawson, said permissions remain with the applicant and the particular building. She said if the license holder wants to sell the license, the applicant would need to apply to the state to change the ownership; Sparks would then allow the license to be changed if the state allows.

City Attorney Chet Adams asked if a new business license would be required for a new state-approved owner. Mr. Ornelas said a new license would likely be required, but a new administrative review would probably not be required on the same building.

Mayor Martini opened the item for public hearing.

Sparks resident and former Washoe County school nurse Pam Boyd spoke in opposition.

Envision Green representative Steven Cooksey said the state does not allow the transfer of a license.

Sparks City Attorney Chet Adams said if the city rejects medical marijuana into our community, the state will take over and Sparks will have no hand in our community's regulation of medical marijuana.

No additional comments were heard; the meeting was returned to the City Council.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to approve Bill No. 2671, Ordinance No. 2490, amending Chapter 20 of the Sparks Municipal Code to establish zoning authority for the establishment of medical marijuana cultivation facilities, independent testing laboratories and facilities for the production of edible marijuana products or marijuana-infused products with the amendment to remove the word "standalone" from section

20.41.075. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**9. Closed Door Sessions**

**9.1 Consideration and possible motion to adjourn to a closed door session as provided in NRS 288.220 to receive information from management representatives (Time: 3:17 p.m.)**

An agenda item from Employee and Customer Relations Manager Chris Syverson recommending Council consider holding a closed door session so staff can provide the City Council with information related to labor negotiations. Council Member Carrigan asked if it was necessary to go to a closed door session. It was determined the Council would hear item 6.4. There was no closed door session.

**10. Comments**

**10.1 Comments from the Public (Time: 3:19 p.m.) - None**

**10.2 Comments from City Council and City Manager (Time: 3:19 p.m.)**

City Manager Stephen Driscoll announced vacancies on the Civil Service Commission (two members with three-year terms) and the Parks and Recreation Commission (three members with three-years terms.) Applications can be obtained from the City Clerk's office or at [www.cityofsparks.us](http://www.cityofsparks.us). Applications will be accepted until close of business on May 30, 2014.

**11. Adjournment (Time: 3:21 p.m.)**

Council was adjourned at 3:21 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

Attachment – Public Comment

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